

**Introduced by Senator Speier**

February 23, 2000

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An act to amend Section 12100 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1806, as introduced, Speier. State Supplementary Program: administration.

Existing federal law establishes the Supplemental Security Income (SSI) program, under which cash assistance is provided to qualified low-income aged, blind, and disabled persons.

Existing law provides for the State Supplementary Program for the Aged, Blind, and Disabled (SSP), under which state funds are provided in supplementation of SSI benefits.

Existing law requires the State Department of Social Services to enter into a contract with the federal government to administer various SSP functions on behalf of the state, including making combined state and federal payments.

This bill would authorize the department, based upon quality and cost-effectiveness and subject to specified provisions of the California Constitution, to either enter into this agreement, directly administer these functions, or contract with a private entity for their administration.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 12100 of the Welfare and Institutions Code is amended to read:

12100. (a) The department ~~shall~~ *may* enter into an agreement with the secretary providing for administration by the secretary of the provisions of this chapter. ~~The—~~*If the department enters into this agreement, the* agreement shall provide at least the following:

~~(a) That the~~

(1) *The* secretary shall, on behalf of the state, make supplementary payments to an applicant or recipient under this chapter at such times and in such installments as may be agreed upon.

~~(b) That the~~

(2) *The* state shall pay to the secretary an amount equal to expenditures made by the secretary as ~~such~~ supplemental payments less amounts payable by the federal government pursuant to Section 401 of Title IV of the Social Security Act Amendments of 1972.

~~(c) That the department may enter into an agreement to administer on behalf of the secretary and at the secretary's expense all or such parts of the program under Title XVI of the Social Security Act during such portion of the fiscal year ending June 30, 1975, as may be provided in the agreement. In~~

(3) *In the event of such the department enters into an agreement pursuant to this subdivision, the department shall supervise the counties' administration of all or such parts part of the program under such the agreement.*

~~(d)—~~

(4) The application of such procedural and other general provisions as are necessary and proper to achieve efficient and effective administration of the provisions of Title XVI of the Social Security Act and of this chapter, including a provision authorizing the secretary to conduct fair hearings in accordance with rules promulgated by him *or her* in cases concerning aid under this chapter.

~~(e) That the~~

(5) *The checks issued by the secretary containing the state supplemental payment shall clearly indicate by a separate notice accompanying the check or on the face of the check the fact that state funds are a part of the payment or the amount of check representing state funds.*

~~(f) That to~~

(6) *To the extent permitted by law, the state shall audit the expenditures made by the secretary under such an this agreement.*

~~(g) That the~~

(7) *The state exercises its option to increase the payment level under Section 401(b)(1) of Title IV of the Social Security Act Amendments of 1972 by an amount equal to the sum of (A) and (B) of Section 401(b)(1) of that title.*

*(b) Subject to subdivision (c), as an alternative to entering into an agreement pursuant to subdivision (a), the department may either directly administer the provisions of this chapter or contract with a private entity for the functions of determining eligibility and the amount of aid to which an eligible person is entitled under this chapter. The department shall determine whether to enter into the agreement provided for in subdivision (a) or adopt either of the options set forth in this subdivision based upon the quality and cost-effectiveness of services.*

*(c) No agreement entered into pursuant to subdivision (b) shall violate Article VII of the California Constitution. In addition, subdivision (b) shall not authorize the department to contract for the performance of determinations of disability under this chapter.*

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